

9-21-21

ORDINANCE NO. 32168

An ordinance amending Chapter 8A, "Boarding Home Facilities," of the Dallas City Code by amending Section 8A-40; providing a penalty of a Class B misdemeanor for operating a boarding home facility in the city without a license; providing a saving clause; providing a severability clause; and providing an effective date.

WHEREAS, the 87th Texas Legislature met in regular session between January 12, 2021 and May 31, 2021; and

WHEREAS, S.B. 500 was filed on January 28, 2021; and

WHEREAS, S.B. 500 provides that operating a boarding home facility without a permit in a municipality that requires a permit is punishable as a Class B misdemeanor; and

WHEREAS, S.B. 500 was approved by both chambers of the Texas Legislature; and

WHEREAS, S.B. 500 was signed by Governor Greg Abbott on June 14, 2021 and took effect September 1, 2021; Now, Therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That Subsection (d) of Section 8A-40, "Violations; Penalty," of Article V, "Enforcement," of Chapter 8A, "Boarding Home Facilities," of the Dallas City Code is amended to read as follows:

"(d) An offense under this chapter is punishable by a fine not to exceed:

(1) \$2,000 and/or up to 180 days in jail in accordance with Section 260.0051 of the Texas Health and Safety Code, as amended, if a person operates a boarding home facility in the city without a valid license in violation of Section 8A-4;

(2) \$2,000 if the provision violated governs fire safety, public health, or sanitation; or

(~~3~~) \$500 for all other offenses."

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SECTION 2. That Chapter 8A of the Dallas City Code shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 3. That any act done or right vested or accrued, or any proceeding, suit, or prosecution had or commenced in any action before the amendment or repeal of any ordinance, or part thereof, shall not be affected or impaired by amendment or repeal of any ordinance, or part thereof, and shall be treated as still remaining in full force and effect for all intents and purposes as if the amended or repealed ordinance, or part thereof, had remained in force.

SECTION 4. That the terms and provisions of this ordinance are severable and are governed by Section 1-4 of Chapter 1 of the Dallas City Code, as amended.

SECTION 5. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

CHRISTOPHER J. CASO, City Attorney

By 
Assistant City Attorney

Passed APR 13 2022



PROOF OF PUBLICATION – LEGAL ADVERTISING

The legal advertisement required for the noted ordinance was published in the Dallas Morning News, the official newspaper of the city, as required by law, and the Dallas City Charter, Chapter XVIII, Section 7.

DATE ADOPTED BY CITY COUNCIL APR 13 2022

ORDINANCE NUMBER 32168

DATE PUBLISHED APR 16 2022

ATTESTED BY: